



10-18-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/717,243	11/18/2003	Marc D. Better	11022US16 / 200-70.P3.C5

Janet M. McNicholas, Ph.D.
McAndrews, Held & Malloy, Ltd.
500 W. Madison Street, 34th Floor
Chicago, IL 60661

CONFIRMATION NO. 8820
FORMALITIES LETTER



OC000000012107340

Date Mailed: 03/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

10/20/2004 RHE/DRANT 000000006 1071243
385.00 0P
65.00 0P
01 FC:2001
02 FC:2051

*A copy of this notice **MUST** be returned with the reply.*

P. Fand
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Customer No. 23446
Docket No. 11022US16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Marc D. Better;)
Stephen F. Carroll; and)
Gary M. Studnicka)
Serial No.: 10/717,243) EXPRESS MAIL NO. EV 436263027 US
Filing Date: November 18, 2003) DATE OF MAILING: October 15, 2004
For: Immunotoxins Comprising)
Ribosome-Inactivating Proteins)
Group Art Unit No.: 1646)
Confirmation No.: 8820)

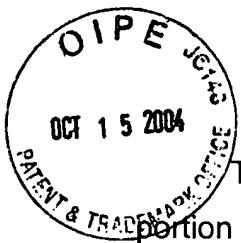
TRANSMITTAL LETTER

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for appropriate action are the following:

1. Petition for a Five-month Extension of Time (including \$1040 check);
2. A Response to the Notice To File Missing Parts of Nonprovisional Application (including \$460 check);
3. A copy of the Notice To File Missing Parts of Nonprovisional Application, dated March 15, 2004; and
4. One return postcard.



The Commissioner is authorized to charge any deficiency or credit any excess portion of this fee to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Date: October 15, 2004

Janet M. McNicholas

Janet M. McNicholas, Ph.D.
Registration No. 32,918

McAndrews, Held & Malloy, Ltd.
500 West Madison Street
34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100



Customer No. 23446
Docket No. 11022US16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Marc D. Better;)
Stephen F. Carroll; and)
Gary M. Studnicka)
Serial No.: 10/717,243) EXPRESS MAIL NO. EV 436263027 US
Filing Date: November 18, 2003) DATE OF MAILING: October 15, 2004
For: Immunotoxins Comprising)
Ribosome-Inactivating Proteins)
Group Art Unit No.: 1646)
Confirmation No.: 8820)

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts (the "Notice") dated March 15, 2004 in the above-identified application. This response is filed with the appropriate Petition for a Five-month Extension of Time.

In the Notice, a statutory filing fee of \$395.00 and a \$65.00 surcharge under 37 C.F.R. §1.16(e) were requested. A check in the amount of \$460.00 is enclosed to cover the filing fee, and surcharge. A separate check is enclosed with the Petition for a Five-month Extension of Time in the amount of \$1040.00.

The Commissioner is further authorized to charge any deficiency or credit any excess portion of this fee to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Date: October 15, 2004

Janet M. McNicholas

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Registration No. 32,918

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